

**Decision Record - Memorandum**  
**New Bighorn Sheep Guzzlers in the McCullough**  
**Range**  
**DOI-BLM-NV-S010–2014–0119–EA**

Prepared by  
**U.S. Department of the Interior**  
**Bureau of Land Management**  
**Southern Nevada District Office**  
**Las Vegas, NV**

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# **Chapter 1. New Bighorn Sheep Guzzlers in the McCullough Range**

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## 1.1. Compliance

The proposed action is in conformance with the goals, objectives, and decisions of the following BLM Land Use Plans:

- Record of Decision for the Approved Las Vegas Resource Management Plan (1998).
  - Objective FW-1. Maintain or improve approximately 869,800 acres of current and potential bighorn sheep habitat toward full ecological potential.
  - Management Direction FW-1–a. Maintain and improve bighorn sheep habitat by maintaining existing water developments, constructing additional water developments, and protecting/improving springs, seeps and riparian habitat, consistent with BLM policy.
  - Management Direction FW-1–b. Evaluate discretionary activities proposed in bighorn sheep habitat and on a case-by-case basis.
- Sloan Canyon National Conservation Area Record of Decision for the Approved Resource Management Plan and Approval of the North McCullough Wilderness Management Plan (2006).
  - Objective: Maintain or enhance habitat quality and quantity to adequately support the life history requirements of a diversity of wildlife species.

The proposed action is in compliance with the following laws:

- The Federal Land Policy and Management Act of 1976 (43 U.S.C. §§ 1701-1782, October 21, 1976, as amended 1978, 1984, 1986, 1988, 1990-1992, 1994 and 1996).
- The National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4347, January 1, 1970, as amended 1975 and 1994).
- Executive Order 13443: Facilitation of Hunting Heritage and Wildlife Conservation (2007).

The proposed action is in conformance with the following guidelines and manuals:

- BLM Manual 6840 – Special Status Species Management.
- Wildlife Management Guidelines (House Report No. 101-405, Appendix B).
- Rangewide plan for managing habitat of desert bighorn sheep on public lands. U.S. Department of the Interior. Gov Doc I53.2: B48.
- Mountain Sheep Ecosystem Management Strategy in the 11 Western States and Alaska. Fish and Wildlife 2000 series.

## 1.2. Selected Action

I have determined that the proposed action to allow the Nevada Department of Wildlife (NDOW) to install two new bighorn sheep guzzlers as described in EA # DOI-BLM-NV-S010–2014–0119–EA, with the mitigation measures described in the Finding of No Significant Impact (FONSI) (incorporated herein) will not have any significant detrimental affects on the human environment, and thus does not require the

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the McCullough Range  
Compliance*

preparation of an Environmental Impact Statement. The proposed action as described in EA# DOI-BLM-NV-S010-2014-0119-EA, in its entirety, is selected and approved.

### **1.3. Compliance with NEPA:**

The proposed action was analyzed in Environmental Assessment #DOI-BLM-NV-S010-2014-0119-EA and it was determined that there would be no significant impact as referenced in the FONSI.

### **1.4. Public Involvement:**

Internal scoping with BLM resources specialists was done for the project and no concerns were raised. Because no concerns were raised, it was determined that public scoping was not needed. The public will still have the chance to review the project and voice any concerns during the Appeal period described in Section 1.6.

### **1.5. Rationale:**

The proposed action was selected because it meets the purpose and need outlined in the EA. It conforms with and will help to successfully meet the goals of both the Las Vegas and Sloan NCA RMPs as described in Section 1.1. The proposed action does not result in any undue or unnecessary environmental degradation. Additionally, analysis from the EA shows that the proposed action will have a positive impact on bighorn sheep populations. The No Action Alternative could result in negative impacts to bighorn sheep populations due to lack of available water.

### **1.6. Appeal or Protest Opportunities:**

The decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 C.F.R., part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing the decision appealed from is in error. If you wish to file a petition pursuant to regulation 43 C.F.R. 2801.10 or 43 C.F.R. 2881.10, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate office of the solicitor (see 43 C.F.R. 4.413) at the same time the original documents are filed with this office. If you request a stay you have the burden of proof in demonstrating that a stay should be granted.

#### **STANDARD FOR OBTAINING A STAY**

Except as otherwise provided for by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,

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Compliance with NEPA:*



3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

## 1.7. Authorizing Official:

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Gayle Marrs-Smith  
Field Manager, Las Vegas Field Office

Date

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Mark Spencer  
Field Manager, Red Rock/Sloan Field Office

Date

## 1.8. Contact Person

For additional information concerning this Finding, contact.

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